

83.02.070 Setback Regulations and Exceptions

This Section establishes standards to ensure the provision of open areas around structures for visibility and traffic safety; access to and around structures; access to natural light and ventilation; separation of incompatible land uses; and space for privacy, landscaping, and recreation.

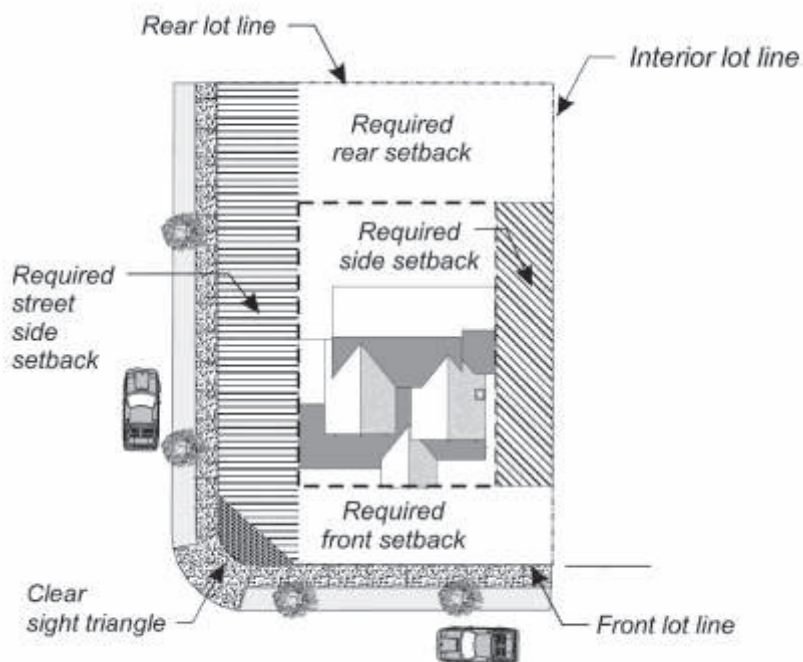


Figure 83-3
Location and Measurement of Setbacks

(a) General setback requirements.

- (1) Structures.** Each structure shall comply with the setback requirements established for each land use zoning district in Division 2 (Land Use Zoning Districts and Allowed Land Uses) and established for specific uses in Division 4 (Standards for Specific Land Uses) and elsewhere in this Development Code.
- (2) Setback areas or open space areas.**
 - (A)** Setback areas or open space around an existing or proposed structure shall not be considered as providing setback areas or open space for any other structure.
 - (B)** Setback areas or open space on an adjoining parcel shall not be considered as providing setback areas or open space for a parcel on which a structure is proposed to be erected.

(3) **Rights-of-way and easements.**

- (A) **Future right-of-way.** If any future right of way line has been established by an ordinance, specific plan, or similar document, the measurement of the setback shall be made from the future right-of-way or future property line.
- (B) **Street setbacks.** Street setbacks shall provide a minimum half width of 30 feet for a right-of-way in the Valley or Desert Regions and 20 feet for a right-of-way in the Mountain Region unless otherwise specified by an ordinance, specific plan, or similar document.
- (C) **Private road easements.** The minimum front, side, and rear setbacks from private road easements shall be 15 feet in the Mountain Region and 25 feet in the Valley and Desert Regions from the recognized easement line. This rear setback requirement shall apply only when the easement is used to access two or more parcels.

(4) **Front setbacks.**

- (A) Front setback lines shall be established so that, wherever possible, the yard width at the setback line is at least the minimum width specified by the applicable land use zoning district, unless otherwise allowed by this Development Code.
 - (B) On through lots, front setbacks shall be provided on all street frontages.
- (5) **Street side setbacks for corner parcels.** Side yards on the street sides of corner parcels shall require the same setback as front yards unless otherwise specified within the provisions of a land use zoning district, ordinance, specific plan or similar regulation.

(b) **Exemptions from setback requirements.**

- (1) The minimum setback requirements of this Development Code shall apply to all uses except for the following:
 - (A) Fences or walls constructed within the height limitations of Chapter 83.06 (Fences, Hedges, and Walls).
 - (B) Retaining walls less than three feet in height above finished grade **not to exceed four such walls within the setback.**

- (2) Street setback lines, as delineated on all Final Maps, Parcel Maps and Records of Survey maps recorded in the County between March 1, 1948 and January 1, 1987, or on Composite Development Plans on file with the Division of Building and Safety shall be the street and yard setback distances required on the property within the Final Maps, Parcel Maps, Records of Survey or Composite Development Plans, unless additional road dedication is required as a condition of development. When additional road dedication is required, or in the case of Final Maps, Parcel Maps and Records of Survey maps recorded prior to March 1, 1948, the greater setback distance of either the property development standards in the applicable land use zoning district based on the ultimate right of way width or the setback distance as shown on the approved map shall prevail. Notwithstanding any other provisions of the Development Code, any request to modify or deviate from a building setback line designated on a recorded map or final map shall be made in compliance with the provisions of Chapter 85.17 (Variances).

(c) **Measurement of setbacks.** Setbacks shall be measured as follows:

- (1) **Front setbacks.** The front yard setback shall be measured at right angles from the nearest point on the front property line of the parcel to the nearest point of the structure envelope, except for corner parcels. Refer to Subsection 810.01.014(oo)(1) for the definition of front lot line.
- (2) **Side setbacks.**
- (A) The side yard setback shall be measured at right angles from the nearest point on the side property line of the parcel to the nearest line of the structure envelope, establishing a setback line parallel with the side property line that extends between the front and rear yards.
- (B) For the purposes of calculating side setbacks, the following dwellings with common party walls shall be considered as one structure occupying one parcel:
- (I) Semi detached two and four family dwellings.
- (II) Row dwellings.

(III) Group dwellings.

(IV) Court apartments.

(3) **Street side yard setbacks.** The side yard setback on the street side of a corner parcel shall be measured from the nearest point of the side property line adjoining the street.

(4) **Rear yard setbacks.**

(A) The rear yard setback shall be measured at right angles from the nearest point on the rear property line of the parcel to the nearest line of the structure envelope, establishing a setback line parallel with the rear property line that extends between the side yards, except:

(I) If an access easement or street right-of-way line extends into or through a rear yard, the measurement shall be taken from the nearest point of the access easement or right-of-way line; and

(II) When the side property lines converge to a point at the rear of the parcel, or to a rear property line narrower than 10 feet, for setback purposes the rear property line shall be considered to be a line parallel to the front property line measuring 10 feet between the two side property lines. The rear yard depth shall be measured from the 10-foot line to the nearest part of the primary structure on the parcel.

(B) In computing the depth of a rear setback where the yard opens into an alley, one half the width of the alley may be assumed to be a portion of the required rear setback.

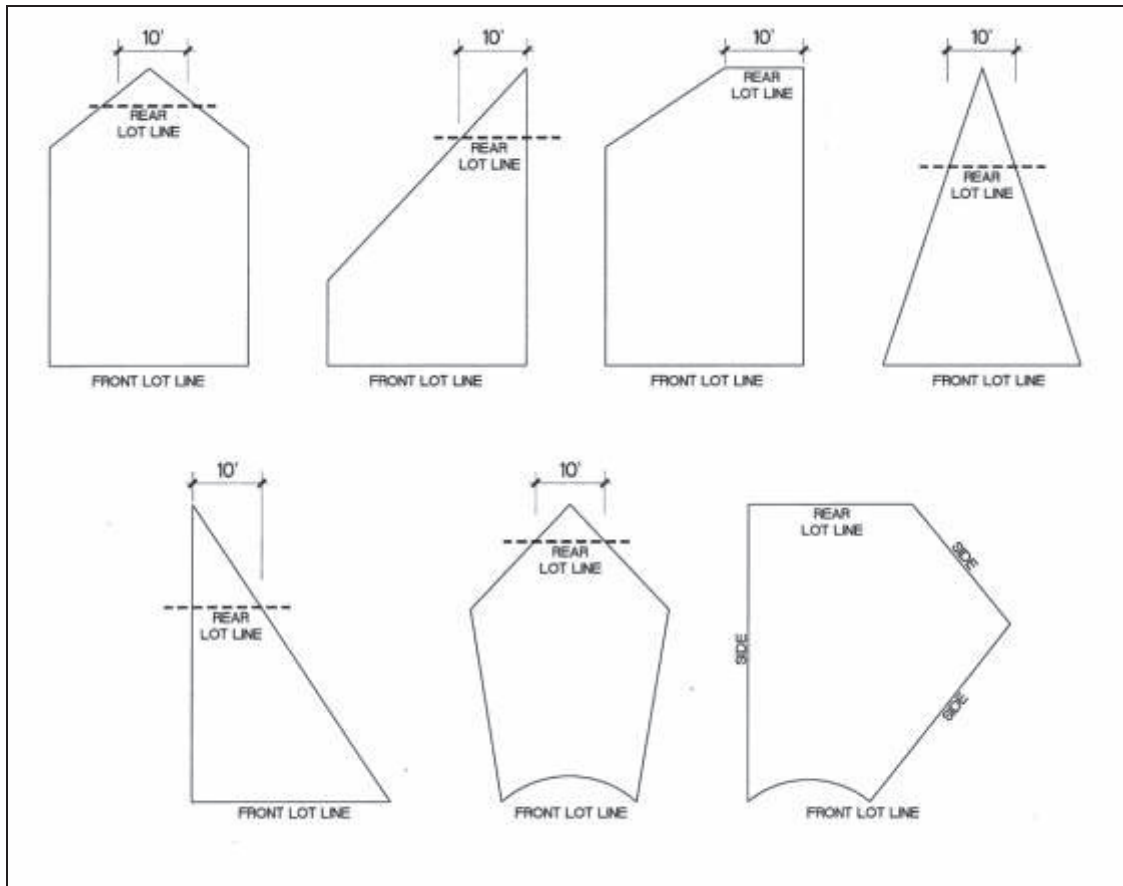


Figure 83-4
Rear Setbacks on Irregularly Shaped Parcels

- (d) **Allowed projections into setbacks.** See Section 83.02.080 (Allowed Projections into Setbacks).
- (e) **Construction across property lines prohibited.** A structure shall not be constructed across the property line(s) of two or more contiguous parcels. If the placement of a proposed structure would otherwise cross the property line of two or more contiguous parcels held by the same owner, before the issuance of a Building Permit, the property owner shall apply for and receive an approved voluntary lot merger, lot line adjustment, or parcel map to move or eliminate the property line in question. The lot line adjustment process may be used if the parcels will still meet the development standards of the land use zoning district in which the parcels are located.

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4057 (2008); Amended Ordinance 4067 (2009)

83.02.080 Allowed Projections/Structures Within Setbacks

This Section provides standards for allowed projections into required setbacks. Nothing in this Section is intended to prevent the construction of an allowed primary or accessory structure within the building envelope that is in the parcel area not included in any required setback area.

- (a) **Open and unobstructed.** Each setback area shall be open and unobstructed from finished grade, or other specified level at which the setback area is required, to the sky except as provided in Table 83-5 (Allowed Projections/Structures Within Setbacks).
- (b) **Projections attached to primary structure.** The architectural projections identified in the table shall be attached to the primary structure allowed on the parcel.
- (c) **Required clear areas.** The projections listed in Table 83-5 (Allowed Projections/Structures Within Setbacks) may not, in any event, encroach on or into the following:
 - (1) The Clear Sight Triangle required at traffic intersections.
 - (2) Within three feet of any parcel line, dividing parcels not in common ownership, except as noted in the Table.
 - (3) Within five feet of any side or rear property line in a Fire Safety Overlay District or as allowed in Subsection 82.13.060(c).
- (d) **Table 83-5 (Allowed Projections into Setbacks).** Table 83-5 (Allowed Projections/Structures Within Setbacks) lists the equipment and architectural features typically related to a structure that may extend into front, side, and rear yard setbacks.

Table 83-5
Allowed Projections/Structures Within Setbacks

Projections	Front and Street Side Setbacks	Interior Side Setbacks	Rear Setbacks
Awnings, canopies, louvers and similar shading devices	4 ft.	2 ft.	4 ft.
Eaves, cornices, sills, planting boxes; skylights, fireplaces, flues and chimneys, small satellite dishes (less than 4' in diameter) that are mounted on the roof , and similar architectural features	4 ft.	2 ft.	4 ft.
Evaporative coolers, air conditioner compressors, and pool equipment	4 ft. When screened from view	2 ft.	4 ft.
Water tanks, propane tanks sited per California Fire Code and maintained in compliance with standards specified by Section 83.01.060 (Fire Hazards)	Not allowed	Not allowed	4 ft.
Propane tanks in Mountain Region only when sited per California Fire Code and maintained in compliance with standards specified by Section 83.01.060 (Fire Hazards)	Allowed When screened from view	Not allowed	4 ft.
Large freestanding photovoltaic or solar panels (9 sq. ft. or greater)	Not allowed	Not allowed	10 ft. Minimum 5 ft. separation from rear parcel line
Attached patio roofs and similar residential structures having open, unwall sides along not less than 50% of their perimeters, including top deck (decks with height greater than 4 ft. above grade)	4 ft.	Not allowed	15 ft. Minimum 5 ft. separation from rear parcel line
Cantilevered portion of primary structure more than 8 ft. above grade limited to 50% of length of one wall on any 1 story	4 ft.	4 ft.	4 ft.
Open-sided stairways, landings, and required fire escapes	5 ft.	4 ft.	10 ft.
Uncovered porches, platforms, or decks (up to 4 ft. in height)	4 ft.	4 ft.	10 ft.
Open storage of boats, recreational vehicles, trailers and similar vehicles	Not Allowed	Allowed	Allowed

**Table 83-5
Allowed Projections/Structures Within Setbacks**

Projections	Front and Street Side Setbacks	Interior Side Setbacks	Rear Setbacks
Temporary trash storage in appropriate containers	Not Allowed	Allowed	Allowed
Slides, clotheslines and similar equipment	Not allowed	Not allowed	Allowed
Radio or television masts or antennas, large satellite dishes (4 ft. or greater in diameter)	Not allowed	Not allowed	Allowed
Garages, carports, sheds and other similar uninhabitable detached, enclosed accessory structures in the Valley and Desert Region that: <ul style="list-style-type: none"> • Occupy no more than 25% of yard • Limited to 1 story in height 	Not allowed	Not allowed	Allowed
Garages carports, sheds and other similar, uninhabitable enclosed accessory structures in Mountain Region only that: <ul style="list-style-type: none"> • Limited to 1 story in height • Meet Administrative Criteria of Building Official • Occupy no more than 25% of rear yard • Adhere to 20% sideyard setback for front and rear property lines 	Allowed for garages and carports only, but must maintain a 3 ft. setback from road right-of-way. 10 ft. minimum from existing edge of roadway pavement. Other structures not allowed.	Not allowed	Allowed for detached accessory structures only
Unroofed parking, parking decks, and loading areas	As specified by the Chapter 83.11 (Parking Regulations)	Allowed	Allowed
Covered, underground or partially excavated structures (e.g., basements, fallout shelters, garages, public utility or telephone/cable TV vaults, wine cellars, etc.)	Allowed in all setback areas, provided that the facilities do not extend more than 30 inches above the adjoining average finished grade level.		

Table 83-5 Allowed Projections/Structures Within Setbacks (continued)			
Projections	Front and Street Side Setbacks	Interior Side Setbacks	Rear Setbacks
Fences, screening, safety guardrails, walls along property lines	Allowed in compliance with Section 83.06.030 (General Height Limitations).		
<ul style="list-style-type: none">Industrial land use zoning districtsCommercial land use zoning districtsAll other land use zoning districts.	6 ft. max. height	10 ft. max height	10 ft. max. height
	4 ft. max. height	10 ft. max height	10 ft. max height
	4 ft. max. height	6 ft. max. height	6 ft. max. height
	----- Fence heights in excess of these standards may be allowed by an approved Use Permit, Variance, Tract or Parcel Map or when required by the County for reasons of the health and safety of the general public. In the RC and RL land use zoning districts, open fences may go up to a maximum of 5 feet in the front yard and street side yards.		
<ul style="list-style-type: none">FlagpolesSculpture and similar decorationsTrees⁽¹⁾, shrubs⁽¹⁾, and landscaping with a screening effectUtility poles and lines located along property lines no closer than 1 foot from side property line (this includes small solar panels that are less than 9 sq. ft.)Walkways⁽²⁾Unroofed paving and driveways outside the ultimate road right-of-way. Unroofed paving and driveways within the ultimate road right-of-way shall be a minimum of 3 feet from the side property line⁽¹⁾	Allowed	Allowed	Allowed
Signs	Allowed in all setback areas subject to Chapter 83.13 (Signs)		
Swimming pools and spas no closer than 5 ft. to any property line	Not allowed	Not allowed	Allowed

(1) Trees and shrubs shall be planted so that at maturity they shall not interfere with a driver's or pedestrian's view of public rights-of-way (e.g. the view of approaching, merging, or intersecting traffic, etc.) or otherwise impair public safety, or interfere with the safe operation of a motor vehicle on public streets.

(2) Walkways necessary for access to the building, parking areas and driveways may be supported on masonry construction in the Mountain Region.